IN THE WAITANGI TRIBUNAL **WAI 3553**
WAI 3504

IN THE MATTER OF The Treaty of Waitangi Act 1975

AND

IN THE MATTER OF The Education Training and Amendment Act and Te Mātaiaho Urgent Inquiry (Wai 3553)

AND

IN THE MATTER OF A claim by Gazala Maihi on behalf of the New Zealand Post Primary Teachers' Association Te Wehengerua (Wai 3504)

BRIEF OF EVIDENCE OF JANE JARMAN

DATED 24 MARCH 2026

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MAY IT PLEASE THE TRIBUNAL

Introduction

1. Kia ora tātou. My name is Jane Jarman. I am the New Zealand History Teachers' Association ("NZHTA") Executive Member for Te Tai Tokerau / Northland. I have been part of the NZHTA Executive for three years and have been a History teacher for twenty four years - twenty of them in Aotearoa New Zealand. I am currently the Head of History at a Secondary School and have over 10 years' experience in this role. I have been Head of Social Studies and was a year level Dean for 16 years.

2. I have a BA Arts in History with First Class Honours from Lancaster University. I have a Post Grad Certificate in Education (History Teaching) from St Martins College, Lancaster. I am a Masters in History candidate at Massey University - awaiting thesis results. I was the recipient of the NEiTA Apple Award for Secondary Education New Zealand, 2022 and have been a judge for the awards since 2023.

3. I have extensive experience in curriculum writing for the Waitangi Education Trust, producing units for Aotearoa New Zealand Histories and NZHTA. I have been significantly involved in a project, Te Pūherenga, with our local hapū Ngāti Rēhia for the past three years. Te Pūherenga is a real life exemplification of a model of hapū working alongside teachers to produce authentic resources which reflect local histories and curriculum, whilst honouring their self-determined mana Motuhake.

NZHTA

4. NZHTA was established in 1994 and is one of the largest subject associations in Aotearoa. NZHTA's work developing resources to support teachers has expanded significantly since receiving Network of Expertise Funding in 2021. This required the Executive, our Kaiārahi and NZHTA contractors to work in a space where they collaborate with both mana whenua and the Ministry of Education on the development of resources and professional learning to support the implementation of the Aotearoa New Zealand Histories Curriculum and the NCEA change package.

5. Throughout this process it became clear to the Executive that a framework was needed to ensure that NZHTA conducted itself in a culturally safe way, honouring Te Tiriti o Waitangi and meeting our responsibilities as kāiako as outlined in our Professional Code of Conduct, Mātaiaho, NELPs, Ka Hikitia and the Education and Training Act 2020.

6. The NZHTA developed a Te Tiriti o Waitangi position statement to guide our work, the position statement recognises the positions as follows:
    a. NZHTA recognises that Te Tiriti o Waitangi is the founding document of Aotearoa and one that is fundamental to education policy, planning and practice in Aotearoa New Zealand;

    b. NZHTA recognises the significance of Te Tiriti and commits to using Te Tiriti to guide all aspects of NZHTA mahi;

    c. NZHTA recognises that meeting our responsibilities under Te Tiriti o Waitangi will make a significant contribution to supporting the educational success of ākonga Māori.

    d. NZHTA recognises that meeting our responsibilities under Tiriti o Waitangi will support a critical, ethical and empathetic approach to the teaching of our shared histories - as part of a broader kaupapa of healing and reconciliation in Aotearoa New Zealand.

    e. NZHTA commits to deliberate actions to develop and enact our shared understandings of Te Tiriti o Waitangi across its executive, representatives and membership; and

    f. NZHTA recognises that current resourcing limits our capacity to deliver on these aspirations on a broad scale.

The changes to the curriculum

7. When the government decided to redraft the Social Sciences curriculum area, NZHTA were asked for people from our association to volunteer to review the document before its release.

8. Four executive members with a wealth of knowledge and experience were nominated, myself included. Only one of them was selected.

9. There was an overwhelming array of subject critical experts that could have been used in the development of this curriculum, who were not.

10. The Executive considered that consultation was not meaningful or consistent with a genuine desire to engage with subject experts.

11. The first time that the NZHTA Executive saw the proposed draft Social Sciences curriculum ("the draft curriculum"),[1] was upon it's release at the end of 2025.

12. It was received by the Executive with widespread concern. Since then, we have actively sought feedback from our membership on the draft. My evidence draws on that member feedback, my own knowledge and detailed analysis of the draft curriculum, as well as on input from several members of the NZHTA Executive.

13. We believe that the curriculum shifts produce real, immediate educational prejudice. We believe that:
    a. Māori histories are minimised or distorted;
    b. Māori epistemologies are structurally excluded; and
    c. Māori students who study this curriculum receive a Eurocentric education that invalidates their lived histories.

14. The new draft curriculum does not explain that Māori signed Te Tiriti o Waitangi – a document in te reo Māori and not the English version, 'The Treaty of Waitangi.'

15. Even at Year 4-6 in the previous Aotearoa New Zealand Histories Curriculum ("Aotearoa Histories Curriculum"),[2] it was noted that: "The two versions of the

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[1] Ministry of Education *NZC – Social Sciences Phases 1–4 (Years 0–10) (draft)* (Tāhūrangi, 2025) https://newzealandcurriculum.tahurangi.education.govt.nz/5637290851.p

[2] Ministry of Education *Aotearoa New Zealand's Histories in the New Zealand Curriculum* (2022) https://nzhistory.govt.nz/sites/default/files/documents/MOE-aotearoa-nz-histories.pdf.

Treaty that say different things about who would have authority. Māori understandings were based on the version in te reo Māori, which the vast majority of Māori signed."[3]

16. This is an extremely important distinction to make – which teachers, as well as students need to be aware of – many of those delivering the curriculum will be primary trained – non-Social Science experts – and now there is a risk in teaching being undertaken about Te Tiriti which is fundamentally incorrect.

17. The Te Paparahi o Te Raki Inquiry (Wai 1040) confirms that Māori did not cede sovereignty, meaning the English Treaty text cannot be treated as authoritative.

18. The draft curriculum provides no structural mechanisms for Te Tiriti to shape school learning, thus effectively removing Te Tiriti's status as an operational and pedagogical authority. Through this revised positioning, the government is attempting to assert authority over historical truth.

19. By sanitising colonisation and avoiding naming Crown wrongdoing, the curriculum permits the state to control the national narrative. Historical distortions within the curriculum (e.g., emphasising European chronology and "civilisation") cement a Crown-centric history.

20. Within the curriculum, Māori constitutional status is diminished. Māori are framed as part of 'diverse communities,' not as tangata whenua with guaranteed authority under Article 2. This collapses Māori political standing into generic multiculturalism.

21. Loss of local histories weakens hapū and iwi authority over their histories. Local history engagement is now optional ("where appropriate") whereas it was a vital component of the Aotearoa Histories curriculum - which mandated the need for partnership with mana whenua. The impact of this is that Māori lose the ability to

[3]Ministry of Education *Aotearoa New Zealand's Histories in the New Zealand Curriculum* (2022) Page 9. https://nzhistory.govt.nz/sites/default/files/documents/MOE-aotearoa-nz-histories.pdf.

exercise control over the transmission of their own histories — a taonga guaranteed under Article 2.

22. Tino rangatiratanga over knowledge systems is overridden. Māori epistemologies are largely omitted from teaching sequences and reduced to glossary terms. The draft curriculum includes Māori concepts such as mana, tūrangawaewae, kaitiakitanga, pūrākau, hapū, iwi, and whakapapa in the glossary, but none of these concepts appear as structural elements of the year-by-year teaching plans.

23. The teaching sequences instead rely on generic historical tools, with no instructions to apply Māori frameworks when interpreting Aotearoa histories. Although Māori oral traditions and pūrākau are defined in the glossary, they only appear as early-years examples and are not treated as valid analytical tools in Years 4–10.

24. Oral histories are effectively presented as "children's stories" when confined to early years, rather than complex knowledge systems encoding whakapapa, tikanga, and identity.

25. Western epistemologies define the structure of historical learning. For example, the draft curriculum states that history "focuses on interpreting the past through significant events, cultures, and changes over time"[4] and teaches students to use evidence, narratives, and chronological tools — all hallmarks of European historiography. No equivalent Māori interpretive concepts — such as whakapapa-based sequencing, relational knowledge, maramataka, or iwi tikanga for evaluating evidence — appear in teaching sequences.

26. In the previous Aotearoa New Zealand Histories Curriculum, "Identifying sources and perspectives" was front and centre at the beginning of the document and it instructed that students should be able to understand sources and perspectives, "Drawing on a broad base of historical sources, in varied forms, provides a fuller

[4] Ministry of Education *NZC – Social Sciences Phases 1–4 (Years 0–10) (draft)* (Tāhūrangi, 2025) Page 4. https://newzealandcurriculum.tahurangi.education.govt.nz/5637290851.p

and layered understanding of the past. This includes paying deliberate attention to mātauranga Māori sources and approaches."

27. In the new draft document, Māori knowledge is structurally subordinated by the way in which it is framed and by the lack of attention given to the need to specifically consult mātauranga Māori sources.

28. Māori knowledge appears in the curriculum superficially – rather than being woven in throughout and established as 'foundational' as it was positioned in Aotearoa New Zealand Histories.

29. Te reo Māori, tikanga Māori, and mātauranga Māori lack visibility in the actual learning programme. For example, Pūrākau is defined in the glossary, but in the actual programme it appears only as an *example* for Years 1–2, not as evidence or historical method appropriate for older students. From Years 4–10, historical inquiry is described solely in terms of written evidence, Western historical concepts (significance, causation), and chronological frameworks.

30. As previously mentioned, the curriculum includes terms such as *mana*, *whakapapa*, *tūrangawaewae*, *kaitiakitanga*, *pūrākau*, *iwi*, *hapū*, and *tangata whenua* in the glossary only. The proposed curriculum instead relies on generic, Western-framed language about "using sources," "interpreting events," and "changes over time," without drawing on Māori interpretive tools.

31. Here the Crown is misusing curriculum authority to control the representation of Māori knowledge, instead of honouring it as a taonga. This is a direct step back from the Aotearoa New Zealand Histories curriculum, where Māori knowledge frameworks shaped the structure of learning itself and were front and centre of the introductory pages of the curriculum.

32. The curriculum emphasises chronology, timelines, and centuries as the foundational way students make sense of time. Crucially this positions the Eurocentric way of perceiving time as a 'right form of knowledge' and it is significant that Māori understandings of time — cyclical, relational,

whakapapa-anchored — do not appear anywhere in the teaching sequences. Furthermore, the Eurocentric structuring of time positions Māori history as primitive or "pre-historical" when not tied to written records.

33. This is not the only time that Māori are equated with 'primitive' society. The draft curriculum has a heading "Stone Age people and how we know about them" it then defines 'prehistory' as: *"the time before people could write down stories or facts* [5]

34. This reduces the status of traditional Māori transmission of mātauranga, as it establishes written literacy as the threshold for 'real' history – thus implying that non-literate societies (in the European sense) are people without history – these assertions are made within the Year 2 content – which means that Year 2 ākonga will be told that prehistory was a time before people could write down stories or facts.

35. This is a Western Enlightenment assumption, not a neutral description. It *directly conflicts* with how Māori understand knowledge and time through: whakapapa, pūrākau, waiata, karakia, taonga tuku iho (intergenerational transmission), maramataka, whenua-based memory. None of these require writing — yet they are rigorous, sophisticated historical systems.

36. This is reinforced in Year 7 when ākonga are told about the French Revolution's significance which was, "… how Enlightenment ideas about liberty, equality, and popular sovereignty could be used to create a new kind of nation based on shared rights and citizenship rather than monarchy or empire."[6]

37. When the curriculum teaches children that the "Stone Age" was the time before "people could write stories or facts," it implicitly frames Māori, Polynesian, and other Indigenous histories as: primitive, pre-civilised, lacking "real" knowledge, lacking "real" facts, then this is epistemological racism.

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[5] Ministry of Education *NZC – Social Sciences Phases 1–4 (Years 0–10) (draft)* (Tāhūrangi, 2025) page 8. https://newzealandcurriculum.tahurangi.education.govt.nz/5637290851.p

[6] Ministry of Education *NZC – Social Sciences Phases 1–4 (Years 0–10) (draft)* (Tāhūrangi, 2025) https://newzealandcurriculum.tahurangi.education.govt.nz/5637290851.p page 26.

38. It is also an extremely unethical statement to make to young children, many of them Māori – potentially causing widespread confusion and angst amongst learners and will perpetuate racist assumptions about Māori knowledge systems within our kura. Māori students face identity harm and epistemic erasure and non-Māori students receive distorted histories that will potentially reinforce societal prejudices.

39. Because the curriculum strongly implies to students that Māori belong in that "pre-historical" category because Māori did not use written literacy before contact, the curriculum morphs into a proponent of colonial ideology.

40. It perpetuates long-standing racist narratives about Indigenous peoples as 'less advanced' which were the foundations of racial hierarchies, assimilationist policies, the Native Schools system, justification for land confiscations, missionary "civilising" missions – many of which have been the subject of previous Tribunal inquiries.

41. The curriculum is content-heavy and developmentally inappropriate — making deep Māori learning impossible. The new curriculum is overloaded with content at every level, especially Years 0–10. Mātauranga Māori concepts require slow, contextual, relational teaching, which the curriculum structure makes impossible. This will result in shallow, monocultural, or distorted teaching of Māori histories.

42. Erasure of whakapapa-based knowledge harms identity. By removing Māori temporal frameworks removes Māori ways of connecting to: whenua, atua, tupuna, maumaharatanga (collective memory) This is a deep identity injury for Māori learners.

43. Curriculum invalidation of oral tradition harms cultural belonging – moreover Māori place names, the ancestral, spiritual, and genealogical meaning of place, the wairuatanga dimension of tūrangawaewae, Māori ways of understanding land and belonging and connections between whenua, atua, and identity are all omitted (these were present in the old Aotearoa New Zealand Histories curriculum).

44. The inclusion of: "Moriori: The expression of mana through Nunuku's Law and the renunciation of violence even in the face of great external challenges (the arrival of Europeans from the 1790s and of Ngāti Tama and Ngāti Mutunga from 1835) "[7] at Year 6 has significant potential for prejudicial outcomes. This topic occupies a highly controversial place in New Zealand political and social commentary, because a misrepresentation, based on a false work, suggest that Māori wiped out Moriori. This oft-cited example has been used to justify colonisation and is positioned here, with very little room for contextual explanation.

45. Māori are shown in the example as colonisers – and although it does not repeat the myth of Moriori pre-dating Māori in New Zealand, it still runs the very serious risk of being taught badly. Many of those teaching all of the content that is of concern will not be historians who understand the nuances of the Moriori story - many teachers all over the motu are drawn from other departments to pick up a line of Social Studies.

46. This is one of the most concerning inclusions within the curriculum – there is no mention of the non-violence adopted at Parihaka, but yet Moriori are mentioned – this again has the potential to lead to prejudicial outcomes for Māori – particularly when it is not delivered by someone with extensive historical knowledge, as well as the way in which the Moriori story has been weaponised to legitimise racism towards Māori.

47. Culturally sustaining pedagogy requires accuracy, cultural safety, and respect for Indigenous narratives. Presenting the Morori narrative without deep contextualisation risks reinforcing anti-Māori racism — the opposite of culturally sustaining practice.

48. The draft curriculum's selection of global history examples — particularly the Elizabethan and Victorian eras and European "voyages of discovery" —

[7] Ministry of Education *NZC – Social Sciences Phases 1–4 (Years 0–10) (draft)* (Tāhūrangi, 2025) page 15 https://newzealandcurriculum.tahurangi.education.govt.nz/5637290851.p

reinforces Eurocentric and colonial narratives that have historically inflicted enormous harm on Indigenous peoples.

49. These are to be taught at Year 6 -and the emphasis is firmly on the progress that was achieved as a result of both Elizabethan and Victorian ages – this suggests the benefits of British knowledge systems and notions of progress are considerable – which relegates alternative, Māori ways of being, knowing and doing to inferior status.

50. Presented without the necessary context – ie being taught in a country where the effects of colonisation are still ongoing, these examples position European expansion as neutral or progressive, while erasing the violence, dispossession, and trauma experienced by Indigenous communities. This approach will only strengthen anti-Treaty sentiment, risks the miseducation of generations of learners, and produces the type of "significant and irreversible prejudice" the Tribunal has discussed in various other reports.

51. The curriculum rewrite happened at speed and without meaningful consultation with Māori education experts, iwi, hapū, or subject associations such as NZHTA.

52. Teachers and experts cannot meaningfully challenge or reshape unrealistic content overload, Eurocentric sequencing, the omission of local iwi histories, the minimisation of Māori temporal and epistemological frameworks because the timeframe allocated does not allow for systemic redesign.

53. Many of those who would wish to contribute to the feedback are teachers – already on full teaching loads – making the time limit even more challenging. For kaiako Māori, Term 1 is Kapa Haka regionals and many are involved with preparing their roopu for competition – making the timeframe even more unreasonable.

54. Whilst NZHTA cannot speak directly about the involvement of the Māori Education Ministerial Advisory Group, it is fair to say that kaiako Māori that we represent are concerned about this curriculum - because of the lack of

transparency surrounding the writing of the curriculum and the multiple ways in which it breaches Crown obligations under Te Tiriti.

DATED at Kerikeri this 24th day of March 2026

Jane Jarman

TO: The Registrar, Waitangi Tribunal; Crown Law Office; and those on the notification list for the Wai 3553 Education Training and Amendment Act and Te Mātaiaho Urgent Inquiry.